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Honorable Victor Marrero
United States District Court
500 Pearl Street
New York, New York 10007

Re: H. Daya International Co., Ltd. v. Do Denim LLC et al. (case no. 16-CV-8668-VM)

Dear Judge Marrero:

My office and Barry Skidelsky, Esq., represent plaintiff H. Daya International Co, Ltd., in this action. I write with the consent of all defendants' counsel for entry of an order permitting plaintiff to have filed two documents (ECF 202 & 218) a few minutes after their respective midnight deadlines among the many documents plaintiff filed in connection with the parties' motions for summary judgment. There have been no prior requests for these two extensions which would not affect any other Court dates.

ECF 202: On June 15, 2021, when plaintiff filed its documents in support of its motion for summary judgment, plaintiff filed all documents timely except its Rule 56.1 Statement which the ECF system initially rejected. Plaintiff then timely served it on defendants' counsel by email to ensure their timely receipt of the document even though plaintiff could not timely file it. A few minutes later, shortly after the midnight deadline, plaintiff was able to circumvent the ECF problem and filed it. There is no prejudice in the late filing by a few minutes, as all defendants consent and received the document timely by email anyway. This Court should permit plaintiff to have filed its Rule 56.1 Statement (ECF 202) a few minutes after the midnight deadline.

ECF 218: On July 2, 2021, when plaintiff filed its documents in opposition to defendants' motions for summary judgment, plaintiff again filed all documents timely except my declaration with exhibits 23-27 attached. We confronted a computer glitch which delayed its filing until approximately five minutes after midnight although its three accompanying documents were timely filed. There is no prejudice, as all defendants again consent. This Court should permit plaintiff to have filed my declaration with exhibits 23-27 (ECF 218) a few minutes after the midnight deadline.

For the foregoing reasons, with the consent of all defendants, this Court should grant this motion and should permit plaintiff to have filed its Rule 56.1 Statement (ECF 202) and my declaration with exhibits 23-27 (ECF 218) a few minutes after their respective midnight deadlines.

Respectfully,

Dennis Grossman

cc: All cou

Request GRANTED.

Plaintiff is hereby permitted to have filed Dkt. Nos. 202 and 218 late.

SO ORDERED.

July 9,
2021

DATE

[Signature]
VICTOR MARRERO, U.S.D.J.

Dennis Grossman